

MICHELE BECKWITH
Acting United States Attorney
MATHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7
JUSTIN L. MARTIN, Missouri State Bar No. 62255
Special Assistant United States Attorney
Office of Program Litigation, Office 7
Office of the General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235-6401
Telephone: (206) 615-3735
Email: Justin.L.Martin@ssa.gov
Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

OLA FITZGERALD,) CIVIL NO. 1:25-cv-00114-KES-EPG
Plaintiff,)
v.) **STIPULATION TO VOLUNTARY
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g) AND TO
ENTRY OF JUDGMENT; ORDER**
COMMISSIONER OF SOCIAL SECURITY,)
Defendant.)

)

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) with instructions to reevaluate Plaintiff's ability to return to past relevant work; as needed, continue the sequential evaluation process and obtain vocational expert testimony, if warranted; offer Plaintiff the opportunity for a hearing; take any further action needed to complete the administrative record; and issue a new decision.

The parties further request that the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

DATE: March 31, 2025

/s/ Jane Cervantes*
JANE CERVANTES
(*as authorized via e-mail on March 31, 2025)
Attorney for Plaintiff

MICHELE BECKWITH
Acting United States Attorney

MATHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7

DATE: March 31, 2025

By: /s/ Justin L. Martin
JUSTIN L. MARTIN
Special Assistant United States Attorney
Office of Program Litigation, Office 7
Attorneys for Defendant

ORDER

Based upon the parties' stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge for a new decision in accordance with the parties' Stipulation.

The Clerk of Court is directed to enter judgment in favor of plaintiff Ola Fitzgerald and against defendant, the Commissioner of Social Security.

IT IS SO ORDERED.

Dated: March 31, 2025



UNITED STATES DISTRICT JUDGE